## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

AVERY DENNISON CORPORATION	)
Plaintiff,	) Civil Action No. 1:08-cv-0079
v.	) ) 
ALIEN TECHNOLOGY CORP.	) JUDGE O'MALLEY )
Defendant.	) )
	)

## AVERY'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL BRIEF IN OPPOSITION TO ALIEN'S MOTION TO DISQUALIFY ROGER STEWART

Avery Dennison Corporation ("Avery") respectfully moves the Court for leave to file a short (less than 2 pages) supplemental response brief in opposition to Alien Technology Corp.'s ("Alien") motion to disqualify Roger Stewart as an Avery expert. The supplemental brief is attached to this motion as Exhibit A. As more fully described in Avery's supplemental brief, the requested leave is necessary to address new subject matter raised by Alien's reply brief filed on November 3, 2008 [Docket No. 45].

Dated: November 7, 2008 Respectfully submitted,

s/ Joshua M. Ryland

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## **CERTIFICATE OF SERVICE**

I hereby certify that on November 7, 2008 a true copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

s/ Joshua M. Ryland
An Attorney for Avery Dennison Corporation